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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,947	03/18/2004	John Kenneth Goldermann Thuneby	M61.12-0570	9175
69316 7590 02/05/2010 MICROSOFT CORPORATION ONE MICROSOFT WAY REDMOND, WA 98052				
EXAMINER HAMMOND III, THOMAS M				
ART UNIT 3695		PAPER NUMBER		
NOTIFICATION DATE 02/05/2010		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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**Advisory Action**  
**Before the Filing of an Appeal Brief**

**Application No.**

10/804,947

**Applicant(s)**

THUNEBY ET AL.

**Examiner**

THOMAS M. HAMMOND III

**Art Unit**

3695

***--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --***

THE REPLY FILED 15 January 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: \_\_\_\_\_.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

/Thu Thao Havan/  
Primary Examiner, Art Unit 3695

Continuation of 11, does NOT place the application in condition for allowance because:

As an initial matter, the Applicant's request for withdrawal of the finality of the rejections is hereby denied, as it is clear from the record that the Examiner has, indeed, addressed all of the Applicant's concerns (albeit contrary), in accordance with the MPEP. However, in the interest of compact prosecution, the Examiner will, again, address all arguments presented in this after-final amendment, regardless if they have been previously presented, for the clarification of the record and the Applicant.

Regarding the Applicant's argument that Brown performs an "overwriting" function that is completely different from the claimed invention, the Examiner asserts that such line of argument has been fully addressed in the previous Office Action. Furthermore, the Applicant lists as evidence, column 12, lines 52-55, to prove such fact. However, the Applicant is ignoring the fact that such citation has never been nor is currently cited in the rejection (i.e. the Applicant has clearly "cherry-picked" this citation out of Brown to make an argument with regard to the entire claimed invention rather than the rejection of record). Accordingly, this line of reasoning continues to be unpersuasive.

With regard to the Applicant's argument on page 8 of the REMARKS where the Applicant alleges that the "Examiner has yet to explain these findings", the Examiner points to page 8/paragraph 12 of the previous Office Action which clearly addresses this issue. With regard to the Applicant's argument that Land does not disclose that "the invoice or vendor bill is in a word processing editable format", the Examiner, again, respectfully disagrees and further points to Figure 10 and associated text which clearly shows that the invoice can be a hard copy or in electronic format. Accordingly, the Applicant's argument is not persuasive.

With regard to the Applicant's argument alleging that Kaplan does not disclose a "cancelling transaction" in the general ledger, the Examiner asserts that the Applicant is improperly narrowing the scope of this limitation to include only a separate transaction being posted in the general ledger. This feature was also discussed in the interview dated 23 June 2009 where the Examiner recommended that such limitation be further distinguished to exclude an update or overwrite to the general ledger, as shown in Kaplan and functionally in Brown, which can also be a cancelling transaction, though not separate. Accordingly, the Applicant's arguments are not persuasive. With regard to the Applicant's argument on page 9, paragraph 2 of the REMARKS, the Examiner asserts that the Applicant is using piecemeal arguments and arguing away from the rejection. As stated before, Brown is relied on to show the function of posting transactions (i.e. edits, both modified and unmodified) while Kaplan is relied on to show a similar function (i.e. posting), but to a general ledger. The Examiner contends that it would be obvious to combine Brown and Kaplan resulting in a system which can post new transactions to a general ledger. Accordingly, the Applicant's arguments are not persuasive.

With regard to the Applicant's argument on page 10, where the Applicant alleges that claims 9 and 17 contain "unique steps that are not presented in claims 1-4", the Examiner respectfully disagrees. The rejection is clear that there are subtle differences in the claim language used to define claims 9 and 17, however there is no significant change to the functionality of the claims and therefore the same logic the rejections for claims 1-4 applies. In addition, the Applicant has not addressed this concern in any previous response and is further reminded that in order to be entitled to reconsideration or further examination, the Applicant's reply to an Office Action must distinctly and specifically point out the supposed errors in the examiner's action and must reply to every ground (emphasis added) of objection and rejection in the Office Action. See 37 C.F.R. § 1.111 (b). Accordingly, if the "Examiner's assertions" are thought by Applicants to be in error, then Applicants should have addressed them in their reply submitted 21 July 2009 or else be in disagreement with 37 C.F.R. § 1.111 (b). See also In re Goodman, 3 USPQ2d 1866, 1871 (ComrPats 1987) noting the examiners have no authority to waive 37 C.F.R. § 1.111 (b) and that § 1.111 (b) requires applicant to point out any supposed errors in applicant's next response. Accordingly, the Applicant's arguments are not persuasive.